

Notice of Allowability

Applicant No.

10/070,756

Examiner

Elvis O. Price

Applicant(s)

FUDA ET AL.

Art Unit

1621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>10070756</u> . |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. <u>10070756</u> | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Joseph Rich
SPE 1621

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stefan U. Koschmieder on 1/8/04.

The application has been amended as follows:

In claim 1, lines 2 and 3, the phrase "(hereinafter said to as the fluorine compound)" has been replaced with ", hereinafter the fluorine compound".

In claim 2, line 1 and 2, the words "the fluorine compound" have been replaced with the words "an organic compound having a fluorocarbon chain, hereinafter the fluorine compound,".

In claim 2, line 10, replaced the word "a" with the word "the"

In claim 7, line 3, after the word "is" inserted the word "a".

In claim 7, line 3, after the word "or" inserted the word "a".

In claim 7, line 3, replaced the word "the" with the word "a".

In claim 9, line 4, the period, "." has been replaced with a colon, ":".

In claim 10, line 1, the words "the fluorine compound" have been replaced with the words "an organic compound having a fluorocarbon chain, hereinafter the fluorine compound,".

In claim 10, line 5, after the word "by" deleted the word "the".

In claim 11, line 1, the words "the fluorine compound" have been replaced with the words "an organic compound having a fluorocarbon chain, hereinafter the fluorine compound,".

In claim 11, lines 5 and 7, after the words "by" deleted the words "the".

In claim 16, line 3, after the word "is" inserted the word "a".

In claim 16, line 3, after the word "or" inserted the word "a".

In claim 16, line 3, replaced the word "the" with the word "a".

In claim 18, line 4, the period, "." has been replaced with a colon, ":".

In claim 19, line 1, the words "the fluorine compound" have been replaced with the words "an organic compound having a fluorocarbon chain, hereinafter the fluorine compound,".

In claim 19, line 5, after the word "by" deleted the word "the".

In claim 20, line 1, the words "the fluorine compound" have been replaced with the words "an organic compound having a fluorocarbon chain, hereinafter the fluorine compound,".

In claim 20, lines 5 and 7, after the words "by" deleted the words "the".

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Applicants' treatment process of a solution containing an organic compound having a fluorocarbon chain and a polymer is unobvious over the prior art or record. Although the closest prior art of record {WO 9410973} teaches that layered double hydroxides may be prepared

by adding divalent and trivalent metal salts to a solution containing nonhalogenated compounds such as monocarboxylic acids, monoalkyl and monoalkyl ether sulphates, alkyl benzene sulphonates and/or mixtures thereof, the prior art of record does not teach or suggest adding the divalent and trivalent metal salts to a solution containing a fluorinated organic compound and a polymer containing fluorine. All claims (1-20) are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elvis O. Price whose telephone number is 703 605-1204. The examiner can normally be reached on 8:30 am to 5:00 pm; Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann R. Richter can be reached on 703 308-4532. The fax phone numbers for the organization where this application or proceeding is assigned is 703 308-4556.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-1235.

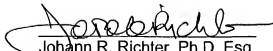
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Elvis O. Price, Ph.D.

January 8, 2004


Johann R. Richter, Ph.D. Esq.
Supervisory Patent Examiner
Technology Center 1600